

Appl. No. : 10/773,628
Filed : February 5, 2004

REMARKS

Applicants have amended independent Claim 46 and dependent Claims 48-54, 57, and 60 and canceled pending Claims 61-70 without prejudice or disclaimer. The amended claims find support throughout the specification and the claims as originally filed. Accordingly, no new matter has been introduced by these amendments.

Interview of July 25, 2007

Applicants thank Examiner Humphrey and Primary Examiner Parkin for the courteous telephone interview held on July, 25, 2007, and the helpful comments made therein. Applicants have provided a summary of interview with this paper.

35 USC § 103 – Obviousness

The Examiner has rejected Claims 46-60 of the pending claims under 35 U.S.C. §103(a) as allegedly being obvious over WO 99/66957 (Wang et al.) in view of Wong et al. The Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time the invention was made to glycosylate the fragment of CD4 receptor provided by Wang with gal α (1,3) gal β using the techniques taught by Wong.

Applicants respectfully submit that the cited references do not establish a *prima facie* case of obviousness.

Wang teaches a CD4 peptide cyclized through two cysteine residues added at the terminal ends. Wong teaches addition of β -glycans to cysteine residues using a thiol reduction. If the CD4 peptide in Wang were subject to the thiol reduction taught by Wong to add β -glycans, then the CD4 peptide could not be cyclized as taught by Wang. If the CD4 peptide in Wang were cyclized first, then the thiol reduction taught by Wong could not add β -glycans, as there are no more cysteine residues available for thiol reduction on the peptide. As such, the combination of the references cited by the Examiner does not teach all of the limitations of the claims. Additionally, Applicants note that Wong teaches the addition of β -glycans and not gal α (1,3) gal β , as claimed.

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The Examiner further asserts that the skilled artisan would have been motivated to combine the references in order to improve the cellular transport, immunogenicity, and circulatory half-life of the CD4-ligand, as taught by Wong and Ashford et al.

Applicants respectfully submit that Ashford teaches that glycosylation of two asparagine residues on the CD4 receptor are conserved in rodents and humans, which suggests that these glycosylated residues serve an important function. Ashford, however, does not fill-in the deficiencies left by Wang and Wong. As such, Applicants submit that the combination of Wang, Wong, and Ashford do not render the rejected claims obvious.

Applicants respectfully request withdrawal of the Examiner's rejection under 35 U.S.C. §103(a) and allowance of the pending claims.

CONCLUSION


The undersigned has made a good faith effort to respond to the Office Action and to place the claims in condition for allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney, Eric S. Furman, Ph.D. at (610) 687-8643 (direct line) to resolve such issues promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 8, 2007

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